

No. 18412

FEDERAL REPUBLIC OF GERMANY
and
NIGER

**Agreement concerning financial assistance—“Rainwater
Distribution System of the Town of Maradi” Project.
Signed at Niamey on 22 October 1977**

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 28 March 1980.

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
NIGER

**Accord d'aide financière — Projet «Canalisation des eaux
de pluie de la ville de Maradi». Signé à Niamey le
22 octobre 1977**

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 28 mars 1980.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
REPUBLIC OF THE NIGER CONCERNING FINANCIAL ASSIST-
ANCE

The Government of the Federal Republic of Germany and the Government of the Republic of the Niger,

In the spirit of the friendly relations existing between the Federal Republic of Germany and the Republic of the Niger,

Desiring to strengthen and enhance these friendly relations by fruitful co-operation in the field of development assistance,

Aware that the maintenance of these relations constitutes the basis for the present Agreement,

Intending to promote economic and social development in the Republic of the Niger,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of Republic of the Niger to raise an additional loan up to a total of DM 4.85 million (four million eight hundred and fifty thousand deutsche mark) with the Kreditanstalt für Wiederaufbau, Frankfurt-on-Main, for the "Rain-water distribution system of the town of Maradi" Project, if, on examination, it is deemed worthwhile.

(2) The project referred to in paragraph 1 of this article may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Republic of the Niger so agree.

Article 2. Utilization of this loan as well as the terms and conditions on which it is granted shall be governed by the contracts to be concluded between the borrower and the Kreditanstalt für Wiederaufbau; such contracts shall be subject to the legal provisions applicable in the Federal Republic of Germany.

Article 3. The Government of the Republic of the Niger shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal charges levied in the Republic of the Niger at the time of the conclusion or execution of the contracts referred to in article 2.

Article 4. The Government of the Republic of the Niger shall allow passengers and suppliers free choice of transport enterprises for such transportation of passengers and goods by sea and air as results from the granting of the loan, refrain from taking any measures that might exclude or impede the participation, on an equal footing, of transport enterprises having their principal place of business in the

¹ Came into force on 27 December 1977, the date on which the Government of the Niger notified the Government of the Federal Republic of Germany of the completion of the required constitutional formalities, with retroactive effect from 22 October 1977, the date of signature, in accordance with article 8.

German area of application of this Agreement and shall grant the relevant permits that may be necessary for the participation of such enterprises.

Article 5. Supplies and services for projects financed from the loan shall be subject to public international tender, unless otherwise provided in individual cases.

Article 6. The Government of the Federal Republic of Germany attaches particular importance, with regard to supplies resulting from the granting of the loan, to preference being given to products of the industry of *Land Berlin*.

Article 7. With the exception of those provisions of article 4 which refer to air transport, this Agreement shall also apply to *Land Berlin*, provided that the Government of the Federal Republic of Germany does not make a declaration to the contrary to the Government of the Republic of the Niger within three months after the date of entry into force of this Agreement.

Article 8. This Agreement shall enter into force with retroactive effect from the date of its signature as soon as the Government of the Republic of the Niger has notified the Government of the Federal Republic of Germany in writing that the constitutional formalities required for the entry into force of the Agreement have been completed by the Republic of the Niger.

DONE at Niamey on 22 October 1977, in duplicate, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

JOHANNES REITBERGER

For the Government of the Republic of the Niger:

BOULAMA MANGA
